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Chair: Mr. Hanif ..... (Malaysia)

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The meeting was called to order at 3.10 p.m.

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/66/L.6/Rev.1)

Draft resolution A/C.3/66/L.6/Rev.1: Tenth anniversary of the International Year of Volunteers

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Kodama** (Japan), speaking also on behalf of Brazil, announced editorial corrections to the draft resolution and said that Belgium, Greece, Italy, Malaysia, Mexico, Paraguay, Portugal, Samoa and Thailand had joined the sponsors of the draft resolution.

3. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Andorra, Azerbaijan, the Bahamas, Bangladesh, Belize, Benin, Bosnia and Herzegovina, Burkina Faso, Burundi, Costa Rica, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Ecuador, Estonia, Ethiopia, Georgia, Jamaica, Kenya, Lebanon, Lithuania, Mali, Malta, Mauritania, Montenegro, Morocco, Namibia, Nicaragua, the Niger, Papua New Guinea, the Philippines, the Republic of Moldova, Romania, San Marino, Senegal, South Africa, Slovakia, Slovenia, South Africa, Spain, Sweden, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Vanuatu and Yemen had also joined the sponsors of the draft resolution.

4. *Draft resolution A/C.3/66/L.6/Rev.1, as orally revised, was adopted.*

Agenda item 64: Report of the Human Rights Council (*continued*) (A/C.3/66/L.65)

Draft resolution A/C.3/66/L.65: United Nations Declaration on Human Rights Education and Training

5. **The Chair** said that the draft resolution had no programme budget implications.

6. **Mr. Zelioli** (Italy), speaking on behalf of the Platform for Human Rights Education and Training, which also included Costa Rica, Morocco, the Philippines, Senegal, Slovenia and Switzerland, said that Burundi, the Congo, France, Iceland, the former Yugoslav Republic of Macedonia, Nicaragua and Thailand had joined the sponsors of the draft resolution.

7. **Mr. Gustafik** (Secretary of the Committee) said that Bosnia and Herzegovina, Burkina Faso, Côte d'Ivoire, Egypt, Estonia, Georgia, Guinea Bissau, India, Latvia, Mali, the Niger, Nigeria, Tunisia, Turkey, Ukraine, the United Republic of Tanzania and Uruguay had also joined the sponsors.

8. *Draft resolution A/C.3/66/L.65 was adopted.*

9. **Ms. Freedman** (United Kingdom of Great Britain and Northern Ireland) said that, while her Government acknowledged the importance of human rights education and training for citizens, which it would continue to promote in the future, there was no basis in international law for presenting such education and training as a human right and the adoption of the draft resolution would not change her country's legal position.

10. **Mr. Sammis** (United States of America) said that human rights education and training was critical in the promotion of all human rights and fundamental freedoms, and welcomed the fact that the draft resolution helped to strengthen support and respect for human rights educators and trainers at all levels.

11. On the matter of whether there existed under international law a right to human rights education and training, his Government had limited authority over education at the national level, and thus could not accept additional obligations that such a right would imply. That did not affect his country's commitment to promoting individuals' ability to know their human rights. While the United States strongly believed that education could contribute to combating discrimination and intolerance, its participation in the consensus on the draft resolution did not mean that human rights education could be used to promote the suppression of the right of freedom of expression in any way.

12. The reference in the Declaration to a right to know, seek and receive information about all human rights and fundamental freedoms was no more extensive than the right to seek, receive and impart information under article 19 of the Universal Declaration of Human Rights. Moreover, because the United States was not a party to the International Covenant on Economic, Social and Cultural Rights, it was not reaffirming obligations under that instrument.

Nevertheless, his Government believed that the Declaration would be a valuable building block in the foundation of human rights instruments promoting knowledge of and respect for all human rights.

13. **Ms. Burgess** (Canada) said that the Government of Canada was pleased to join the consensus on the draft resolution. Although Canada did not recognize the existence of a right to human rights education and training, it considered such education and training as an important aspect of the rights to education, to seek, receive and impart information and to freedom of opinion and expression and believed that it could best be supported through a wide range of policies and programmes adopted at the appropriate level of Government. States should be free to determine how best to promote human rights education and training within their jurisdictions.

14. **The Chair** suggested that the Committee should take note, in accordance with the annex to General Assembly decision 55/488, of the report of the Secretary-General on the observance of the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims (A/66/335).

15. *It was so decided.*

Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*) (A/C.3/66/L.60)

Draft resolution A/C.3/66/L.60: Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

16. **The Chair** said that the draft resolution had no programme budget implications.

17. **Mr. Gustafik** (Secretary of the Committee) said that Côte d'Ivoire, Mauritania, the Niger, Seychelles and Uzbekistan had joined the sponsors.

18. **Mr. Lukiyantsev** (Russian Federation) noted that the draft resolution enjoyed the broad support of sponsors from all over the world. In addition to those previously cited, new sponsors included Cape Verde, Iran, Rwanda, Sri Lanka, Syria and Lebanon.

19. Millions of innocent lives had been lost in the Second World War, including those who had fallen victim to theories of racial and ethnic supremacy. Those events had constituted war crimes and crimes against humanity, as determined by the Nuremberg Tribunal, and to refute them now would be tantamount to rewriting history.

20. However, an attempt was once again being made to do so, with certain Governments expressing a readiness to have draft resolution A/C.3/66/L.60 put to a vote. Apart from its clear human rights significance, the resolution paid due tribute to the memory of those who gave their lives so that the gathered delegates could freely assemble. Those who wished to put the draft resolution to a vote were invoking the difficulties inherent in defining who had fought against the anti-Hitler coalition, even going so far as to declare that the issue of victory in the Second World War had no bearing on the subject of human rights. Yet the human rights provisions in the United Nations Charter had been written in direct response to the horrors of the Second World War and to the heinous crimes of the Nazi regime.

21. Increasingly, monuments to the Nazis were being unveiled, anniversaries of emancipation from Nazi rule were being declared days of mourning and persons opposed to forgetting those who had struggled against Nazism were being arrested. In certain countries, those who had fought against the anti-Hitler coalition were being presented as heroes and as champions of national self-determination. That phenomenon was an example not of political correctness, but of blatant cynicism and blasphemy with respect to those who had freed the world from the horrors of National Socialism. It involved criminally punishable acts, as stipulated in article 4 of the International Convention on the Elimination of Racial Discrimination.

22. Certain delegations had for several years been attempting to intimate that racism and the spread of racist ideas could not be fought by prohibitions and criminal prosecutions. They argued that, if a society was healthy and democratic, it would naturally reject racism as alien and incompatible with its democratic principles. Yet according to a recent report by the Anti-Defamation League, more than 15 per cent of the citizens of one of the world's most democratic countries were openly anti-Semitic. In certain segments of the population, that figure rose to over 30 per cent, and Nazi swastikas continued to appear on synagogues

in that country on the anniversary of the sadly notorious Kristallnacht.

23. The sponsors of the draft resolution considered it entirely unacceptable that those involved in the crimes of Nazism should be glorified or that they should have their culpability minimized, as had occurred in the case of some former members of the SS, declared by the Nuremberg Tribunal to be a criminal organization. Such revisionist manifestations of contemporary racism, discrimination, xenophobia and intolerance were cause for profound alarm. The sponsors had sought to fashion a text that would be balanced and acceptable to delegations. Open consultations had been held and a number of bilateral meetings convened, as a result of which many additions and amendments had been included. Conversely, there had been proposals and commentaries which were fundamentally unacceptable, including the notions that the issue of victory in the Second World War was in no way related to universal human rights standards and that the contemporary glorification of Nazism was merely an example of freedom of expression and association. Twenty or 30 years earlier, when a majority of the veterans of the Second World War had still been alive, no one would have dared to voice similar arguments at the United Nations. He wished to know why it had suddenly become acceptable.

24. Adoption of the draft resolution with the broadest possible support of Member States would contribute enormously to efforts aimed at eliminating racism, racial discrimination, xenophobia and intolerance. Its adoption was a duty not only towards those who had founded the United Nations, but also towards the future generations they had sought to forever free from the horrors of war.

25. **Mr. Gustafik** (Secretary of the Committee) said that the United Republic of Tanzania had joined the sponsors.

26. **Ms. Velichko** (Belarus), speaking in explanation of vote before the voting, said that racism, racial discrimination, xenophobia and related intolerance continued to be a problem in the modern world, and concerns about fascism and extremist movements were reflected in the Interim report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/65/295). Lessons could be learned from the verdict of the Nuremburg Tribunal and Nazism and racial supremacy must be eradicated once and for all. It was unacceptable to consider the use of swastikas and other Nazi symbols as part of freedom of expression and opinion. Fascist ideology was the basis for aggression and hostility. The draft resolution had the practical value of helping to foster awareness among young people of the difference between right and wrong, and their ability to learn from history. Her delegation would thus vote in favour of the draft resolution.

27. **Ms. Grabianowska** (Poland), speaking in explanation of vote before the voting on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that the European Union remained convinced that the fight against all manifestations of racism and xenophobia, including neo-Nazism, must be a priority for all Member States. Given the international community's responsibility towards victims of racism, past and present, it was imperative to avoid divisive concepts or rhetorical and selective approaches that would dilute the significance of the issues addressed in the draft resolution or divert resources from addressing them. The European Union therefore regretted the lack of a more comprehensive, inclusive dialogue with the wider membership of the United Nations on the proposals submitted by different delegations concerning the text of the draft resolution. The text before the Committee had continued to deteriorate, especially with regard to such essential issues for the European Union as freedom of expression, the role of civil society and the independence of the Special Rapporteur.

28. A more objective and legally appropriate approach with a clear focus on the human rights perspective could provide added value to the global fight against racism. Measures to combat manifestations of racism, racial discrimination, xenophobia and related intolerance, while necessary, must be in line with the International Convention on the Elimination of All Forms of Racial Discrimination and must not undermine human rights and fundamental freedoms as defined by international human rights law. The text should avoid any language that could imply unfounded restrictions on freedom of expression.

29. The main sponsors should rectify the inaccurate citations from the judgement issued by the Nuremberg Tribunal, as the draft resolution in its current form implied a principle of common responsibility that the European Union could not accept. The issue of monuments and memorials, on which the draft resolution placed particular emphasis, was an internal matter for States and not relevant to the human rights agenda. The reference in operative paragraph 9 to the need for "increased political and legal vigilance" in order to prevent the spread of extremist movements left room for inappropriate interpretations, raising serious concerns regarding the independence of the judiciary or freedom of assembly and association. Similarly, education should cover a multitude of racist and totalitarian ideologies throughout history in order to ensure a comprehensive understanding of the complexities of racism. The draft resolution's request to the Special Rapporteur to focus on aspects of those phenomena specified therein ran counter to the principle of respecting the independence of the mandate-holder. Lastly, the new language in operative paragraph 26 introduced a biased assumption on civil-society activity to combat racism.

30. For those reasons, the Member States of the European Union would not support the draft resolution.

31. **Mr. Sammis** (United States of America) said that, while his delegation also expressed revulsion at attempts to glorify or otherwise promote Nazi ideology and condemned all forms of religious intolerance or hatred, it remained concerned that the draft resolution failed to distinguish between actions and statements that, while offensive, should be protected by freedom of expression and criminal actions motivated by bias, which should always be prohibited. The United States of America did not consider curtailing expression to be an appropriate or effective means of combating racism and related intolerance. Out of its conviction that individual freedoms of speech, expression and association should be robustly protected, even if the ideas expressed were full of hatred, his Government had submitted a reservation to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. The best antidote to intolerance was a combination of robust legal protections against discrimination and hate crimes, proactive government outreach to minority religious groups, and the vigorous defence of both freedom of religion and freedom of expression.

32. *At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/66/L.60.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Georgia, Hungary, Ireland, Latvia, Lithuania, Monaco, Netherlands, Poland, Romania, Slovakia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Andorra, Australia, Austria, Bosnia and Herzegovina, Croatia, Cyprus, Fiji, Finland, Germany, Greece, Iceland, Italy, Japan, Liechtenstein, Luxembourg, Malta, Montenegro, New Zealand, Norway, Panama, Papua New

Guinea, Portugal, Republic of Korea, Republic of Moldova, Samoa, San Marino, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, Vanuatu.

33. *Draft resolution A/C.3/66/L.60 was adopted by 120 votes to 22, with 31 abstentions.*

34. **Ms. Wilson** (Jamaica) said that her delegation had voted in favour of the resolution on the understanding that operative paragraph 18 did not imply any restriction on access to or freedom of information, including access to the Internet.

Agenda item 68: Right of peoples to self-determination (*continued*) (A/C.3/66/L.62)

Draft resolution A/C.3/66/L.62: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

35. **The Chair** said that the draft resolution had no programme budget implications.

36. **Ms. Astiasarán Arias** (Cuba) said that since the introduction of the draft resolution, Angola, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Eritrea, Ethiopia, India, Iran, Lesotho, Malaysia, Nigeria, Pakistan, Peru, the Sudan and the Syrian Arab Republic had joined the sponsors.

37. **Mr. Gustafik** (Secretary of the Committee) said that Benin, Ghana, Mozambique, Senegal, South Africa, Uganda, and the United Republic of Tanzania had become sponsors.

38. **Ms. Grabianowska** (Poland), speaking in explanation of vote before the voting on behalf of the European Union; the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, said that the European Union recognized the adverse impact produced by contemporary mercenaries on the length and nature of armed conflicts and condemned any link between mercenaries and terrorist activities. However, neither the Committee nor the Human Rights Council was the proper forum for addressing mercenary activity, as the matter should not be tackled from the perspective of human rights or of the threat posed by such activity to the rights of peoples to self-determination. Moreover, it was not appropriate to refer to private military and security companies in the draft resolution. It would be false and misleading to equate the employees of private military and security companies that operated in strict compliance with international law with mercenaries. Several branches of international law and other instruments, such as the Montreux Document, could provide a framework for regulating, monitoring and setting professional standards for the activity of such companies. In the absence of a common understanding on important definitions and approaches to the issue, the Member States of the European Union would, as in previous years, vote against the draft resolution.

39. **Mr. Sammis** (United States of America) said that the most effective way to address concerns about the accountability of private security companies and military contractors was through better implementation of existing national and international laws and robust collaborative efforts that brought together industry, civil society and Governments to work directly on raising standards. Examples were the Montreux Document and the International Code of Conduct for Private Security Service Providers.

40. At the inter-governmental Working Group meeting in Geneva, several delegations and experts had expressed the view that the Group should consider alternatives to elaborating a convention. Unfortunately, the draft resolution prejudged the ongoing work of the Group, strayed from the original mandate of considering the possibility of elaborating an international regulatory framework, and supported a poorly considered, legally binding instrument where additional law was not presently needed.

41. Any attempt to build on the unworkable and inappropriately broad draft convention previously proposed by the Working Group on the use of mercenaries would launch a time-consuming, resource-intensive process unlikely to yield practical results. The draft convention in its current wording would likely prohibit military and police training programmes provided by private companies, making it difficult for many countries to obtain necessary training services and hindering United Nations humanitarian and peacekeeping efforts, many of which relied on private contractors. It would even cover topics not appropriately regulated in such a convention, including information security or material support to militaries.

Lastly, domestic and international efforts should be allowed to mature so as to further distil best practices before a decision on formal drafting of a convention was taken. For those reasons, his delegation was obliged to request a vote and would vote against the draft resolution.

42. *At the request of the delegation of the United States of America, a recorded vote was taken on draft resolution A/C.3/66/L.62.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Abstaining:

Chile, Colombia, Fiji, Mexico, Switzerland.

43. *Draft resolution A/C.3/66/L.62 was adopted by 118 votes to 52, with 5 abstentions.*

44. **Mr. Díaz Bartolomé** (Argentina) said that the Argentine Republic fully supported the right to self-determination of peoples that were still under colonial domination or foreign occupation. The right to self-determination should be interpreted in accordance with the purposes and principles of the Charter of the United Nations, General Assembly resolutions 1514 (XV) and 2625 (XXV) and other relevant United Nations resolutions.

45. The exercise of the right to self-determination presupposed that there was an active subject in the form of a people subject to alien subjugation, domination and exploitation, as defined in paragraph 1 of General Assembly resolution 1514 (XV). Without such a subject, there was no right to self-determination. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas had been unlawfully occupied by the United Kingdom, which had expelled the Argentine population and authorities in order to install its own population there. Therefore, it was not the right to self-determination, but rather the other important principle of decolonization, territorial integrity, that should apply.

46. All of the relevant resolutions of the General Assembly and of the Special Committee on decolonization had highlighted the special and particular colonial situation of the Malvinas Islands, recognizing the existence of a sovereignty dispute between Argentina and the United Kingdom and noting that the way to resolve that dispute was through the resumption of bilateral negotiations with a view to finding a just, peaceful and lasting solution as soon as possible, taking into account the interests of the islanders.

47. **Mr. Duddy** (United Kingdom) said that the United Kingdom had no doubt concerning its sovereignty over the Falkland Islands. The British Government attached great importance to the principle of self-determination, as set out in Article 1, paragraph 2, of the Charter and article 1 of the International Covenant on Civil and Political Rights. That principle underlined his Government's position on the Falkland Islands. No negotiations would be held on that subject unless and until such time as the islanders themselves so desired.

48. **Mr. Díaz Bartolomé** (Argentina), reiterating the statement delivered by the Minister for Foreign Affairs of Argentina before the Special Committee on decolonization on 21 June 2011, recalled that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine national territory and that, being illegally occupied by the United Kingdom of Great Britain and Northern Ireland, they were the object of a sovereignty dispute between the two countries. That dispute was recognized by various international organizations and numerous General Assembly and Special Committee resolutions, which called on the parties to resume negotiations in order to reach, as soon as possible, a peaceful and lasting solution. The Argentine Republic affirmed its legitimate sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

Agenda item 69: Promotion and protection of human rights (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/C.3/66/L.23/Rev.1)

Draft resolution A/C.3/66/L.23/Rev.1: International Covenants on Human Rights

49. **The Chair** said that the draft resolution had no programme budget implications.

50. **Mr. Gomez** (Sweden), speaking on behalf of the Nordic countries Denmark, Finland, Iceland, Norway and Sweden, said that since the introduction of the draft resolution, Bosnia and Herzegovina, Georgia and San Marino had joined the sponsors. The current version of the draft resolution was short and procedural and had retained only indispensable operative paragraphs. The General Assembly's adoption of a resolution in support of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights would demonstrate the membership's broad support for the fundamental rights contained in the Covenants and the strength of treating both instruments in a single resolution.

51. **Mr. Gustafik** (Secretary of the Committee) said that Benin, Bhutan, Ecuador, Honduras, India, Madagascar, Paraguay, the United Republic of Tanzania and Venezuela (Bolivarian Republic of) had joined the sponsors.

52. **Mr. Sammis** (United States of America), speaking in explanation of position, thanked the main sponsors for developing a streamlined resolution that commanded broad support and welcomed the good work and efforts of the Committee on Economic, Social and Cultural Rights and of the Human Rights Committee. His delegation was pleased to join in that consensus.

53. *Draft resolution A/C.3/66/L.23/Rev.1 was adopted.*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/66/L.31/Rev.1, A/C.3/66/L.39 and A/C.3/66/L.45/Rev.1)

Draft resolution A/C.3/66/L.31/Rev.1: The universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms

54. **The Chair** said that the draft resolution had no programme budget implications.

55. **Mr. Andrade** (Brazil), speaking also on behalf of India and South Africa, said that Bangladesh, Bhutan, Bolivia (Plurinational State of), Cape Verde, Costa Rica, the Dominican Republic, Ecuador, Haiti, Indonesia, Liberia, Nepal, Peru, Paraguay, Portugal, Rwanda, Ukraine and Uruguay had joined the sponsors of the draft resolution.

56. **Mr. Gustafik** (Secretary of the Committee) said that Benin, the Democratic Republic of the Congo, Guinea-Bissau, the Niger, Timor-Leste, Turkey and the United Republic of Tanzania had also joined the sponsors.

57. *Draft resolution A/C.3/66/L.31/Rev.1 was adopted.*

58. **Ms. Grabianowska** (Poland), speaking on behalf of the European Union, said that its member countries

attached the same importance to economic, social and cultural rights as to civil and political rights. All human rights were universal, interdependent and interrelated and must receive the same emphasis, as under the Vienna Declaration and Programme of Action. It was unfortunate that the right to development was the only right singled out twice in a draft resolution devoted to the interdependence of all human rights. Moreover, the seventh preambular paragraph should be interpreted in the light of the principle of the primary responsibility of States to promote and protect human rights. The reference in that paragraph to "equal and fair treatment" of human rights did not prejudge the language in section I.5 of the Vienna Declaration.

59. **Ms. Fontana** (Switzerland) said that her delegation had joined the consensus, but was concerned that certain aspects of the draft resolution might be interpreted as calling into question what had been achieved in the Vienna Declaration and Programme of Action. All human rights were interdependent and should receive equal emphasis, so it was not clear why the draft resolution should emphasize the right to development.

Draft resolution A/C.3/66/L.39: Promotion of a democratic and equitable international order

60. **The Chair** said that the draft resolution had no programme budget implications.

61. **Mr. Gustafik** (Secretary of the Committee) said that Algeria, Bangladesh, Botswana, China, the Comoros, Côte d'Ivoire, Ecuador, Egypt, Ghana, the Lao People's Democratic Republic, Lesotho, Madagascar, Mali, Mauritania, Myanmar, Namibia, the Niger, the Russian Federation, Senegal, Swaziland, Viet Nam and Zimbabwe had joined the sponsors of the draft resolution.

62. **Ms. Astiasarán Arias** (Cuba) said that Angola, Benin, Burkina Faso, Burundi, Cameroon, the Congo, the Democratic Republic of the Congo, the Democratic Peoples Republic of Korea, the Dominican Republic, Eritrea, Ethiopia, India, Indonesia, Jamaica, Malaysia, Nigeria, Pakistan, Sudan, the Syrian Arab Republic and Vanuatu had also joined the sponsors of the draft resolution.

63. **Ms. Grabianowska** (Poland), speaking in explanation of vote before the voting on behalf of the European Union, said that it was necessary to continue to work towards a democratic and equitable world order, but several elements in the draft resolution went far beyond the scope of the Committee, were cited out of context and were not addressed in a holistic or comprehensive way. Moreover, the establishment of a new mandate of independent expert on the promotion of a democratic and equitable order as set out in Human Rights Council resolution 18/6 added no value to the promotion and protection of human rights. The members of the European Union would thus vote against the draft resolution.

64. *At the request of the delegation of Poland, a recorded vote was taken on draft resolution A/C.3/66/L.39.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada,

Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Armenia, Chile, Costa Rica, Mexico, Peru.

65. *Draft resolution A/C.3/66/L.39 was adopted by 117 votes to 52, with 6 abstentions.*

Draft resolution A/C.3/66/L.45/Rev.1: Protection of and assistance to internally displaced persons

66. **Ms. Merchant** (Norway) introduced draft resolution A/C.3/66/L.45/Rev.1, which showed that the Guiding Principles on Internal Displacement were more robust than ever. The draft resolution contained new elements, such as reference to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, and to climate change, environmental degradation and increased risk of natural hazards, which, in combination with other risk factors, could be viewed as a driver of displacement.

67. **Mr. Gustafik** (Secretary of the Committee) said that Argentina, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Burkina Faso, Chile, the Czech Republic, Ireland, Madagascar, Mali, the Niger, Paraguay, Peru, Poland, the Republic of Korea, the Republic of Moldova, Sierra Leone, Spain, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania had joined the sponsors of the draft resolution.

Agenda item 107: Crime prevention and criminal justice (*continued*) (A/C.3/66/L.17)

Draft resolution A/C.3/66/L.17: United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

68. **The Chair** said that the draft resolution had no programme budget implications.

69. **Ms. Kafeero** (Uganda), speaking on behalf of the Group of African States, said that the efforts of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders enhanced the capacity of African States.

70. A number of revisions had been made to the draft resolution. In the fourth preambular paragraph, the words "money laundering" had been inserted after the word "piracy"; in the fifth preambular paragraph, the word "processes" had been added after "litigation"; the eighth preambular paragraph had been revised to read "*Recognizing* the importance of promoting sustainable development as a complement to crime prevention strategies". Paragraph 5 had been revised to read "*Encourages* the Institute, in cooperation with relevant United Nations agencies, take into account the various planning authorities in the region that focus attention on the coordination of activities that promote development based on sustainable agricultural production and preservation of the environment in developing its crime prevention strategies". In paragraph 11, the word "significantly" had been replaced with "greatly".

71. *Draft resolution A/C.3/66/L.17, as orally revised, was adopted.*

The meeting rose at 5 p.m.